

Amendment No. 1 to SB0250

Cohen
Signature of Sponsor

AMEND Senate Bill No. 250*

House Bill No. 1334

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

by deleting all of the language following the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 7-82-302(j), is amended by adding the following language at the end of the subsection:

Any such utility district is further empowered to sell or dispose of its propane gas service operation in whole or in part.

SECTION 2.

(a) Notwithstanding any provision of law to the contrary, no municipally-owned public utility in any county having a population of eight hundred thousand (800,000) or more according to the 2000 federal census or any subsequent federal census, shall be offered for sale or lease unless approval is granted by referendum. The county election commission shall hold an election on the question pursuant to § 2-3-204, providing options to vote "FOR" or "AGAINST" the sale or lease of a municipally- owned public utility, after the receipt of a certified copy of a resolution from such municipality requesting an election. The ballots used in such election shall have printed on them the substance of such resolution and the voters shall vote for or against its approval.

(b) The votes cast on the question shall be canvassed and the results proclaimed by the county election commissioners and certified by them to the local governing body.

(c) The qualifications of voters voting on the question shall be the same as those required for participation in general elections.

(d) All laws applicable to general elections shall apply to the determination of the approval or rejection of the sale or lease of a municipally-owned public utility.

(e) A majority vote of those voting in the election shall determine whether the sale or lease of the public utility shall be approved. If the sale or lease is approved at

the election, it shall be eligible for sale or lease as provided in the resolution. If the proposed sale or lease is not approved at the election, the public utility may not be sold or leased.

(f) For the purposes of this section, sale or lease of a municipally-owned public utility shall mean more than ten percent (10%) of the assets of such municipally-owned public utility are subject to sale or lease during any three-year period.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.